

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEE E. NICHOLS,

Defendant.

No. 17-cr-30153-1

ORDER

HERNDON, District Judge:

Now before the Court is defendant's motion to continue trial (Doc. 30). Defendant states that he needs additional time to investigate the case and interview potential witnesses. Being fully advised in the premises and for the reasons stated in the motion, the Court finds counsel and defendant require additional time. The Court also finds that to deny a continuance of the matter would result in a miscarriage of justice. Further, the Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by the granting of such continuance outweigh the best interests of the public and defendant in a speedy trial.

Therefore, the Court **GRANTS** defendant's motion to continue trial (Doc. 30). The Court **CONTINUES** the jury trial scheduled for January 29, 2018 to **May 14, 2018, at 9:00 a.m.** The time from the date the original motion was filed, January 16, 2018, until the date to which the trial is rescheduled, May 14, 2018 is

excludable time for the purposes of speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

  Judge Herndon
2018.01.17
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United States District Court